

\*\*E-filed 11/13/06\*\*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05-00727 JF / PVT
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>HEARING AND EXCLUDE TIME;</b>
v.	)	<b>[PROPOSED] ORDER</b>
	)	
SERGIO FIGUEROA-CASTENADA,	)	
	)	
Defendant.	)	
	)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Wednesday, November 15, 2006, be continued to Wednesday, December 20, 2006, at 9:00 a.m.

The continuance is requested to allow additional time for resolution of petitions filed in state court by Mr. Figueroa's attorney, Alex Reisman, Esq., regarding the validity of convictions that resulted in Mr. Figueroa's deportation. The parties agree that a continuance is appropriate to allow completion of this process.

The parties further agree that time should be excluded under the Speedy Trial Act because the defense requires time for effective preparation and investigation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

1 Dated: 11/6/2006

/s/  
LARA S. VINNARD  
Assistant Federal Public Defender

3 Dated: 11/6/06

/s/  
SUSAN KNIGHT  
Assistant United States Attorney

5  
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for November 15,  
8 2006, to allow time for resolution of petitions filed in state court by Mr. Figueroa's attorney  
9 regarding the validity of convictions that resulted in his deportation.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
11 presently set for November 15, 2006, be continued to December 20, 2006, at 9:00 a.m.

12 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
13 from November 15, 2006, to December 20, 2006, shall be excluded from the period of time  
14 within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

15 Dated: 11/13/06

  
JEREMY FOGEL  
United States District Judge